

MESSAGE NO: 3097115 MESSAGE DATE: 04/07/1993

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-201-003

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/01/1984 TO 12/31/1985

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS - NOTICE OF COURT DECISION ON THE FINAL
RESULTS OF THE COUNTERVAILING DUTY ADMINISTRATIVE REVIEW OF CERAMIC TILE
FROM MEXICO

MESSAGE NO: 3097115

DATE: 04 07 1993

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TYPE: LIQ

REFERENCE:

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CASES: C - 201 - 003

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PERIOD COVERED: 07 01 1984 TO 12 31 1985

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS

DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: LIQUIDATION INSTRUCTIONS - NOTICE OF COURT DECISION ON
THE FINAL RESULTS OF THE COUNTERVAILING DUTY
ADMINISTRATIVE REVIEW OF CERAMIC TILE FROM MEXICO

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
OF FEBRUARY 2, 1993 (58 FR 6778), THE NOTICE OF COURT
DECISION AND CONTINUED SUSPENSION OF LIQUIDATION PENDING
APPEAL OR THE EXPIRATION OF THE PERIOD FOR APPEAL OF THE
FINAL RESULTS OF THE COUNTERVAILING DUTY ADMINISTRATIVE
REVIEW OF CERAMIC TILE FROM MEXICO (C-201-003). THE REVIEW
COVERS THE PERIOD JULY 1, 1984 THROUGH DECEMBER 31, 1984, AND
JANUARY 1, 1985 THROUGH DECEMBER 31, 1985.

2. IMPORTS COVERED BY THE REVIEW ARE SHIPMENTS OF CERAMIC TILE, INCLUDING NON-MOSAIC, GLAZED, AND UNGLAZED CERAMIC FLOOR AND WALL TILE. DURING THE REVIEW PERIODS, SUCH MERCHANDISE WAS CLASSIFIABLE UNDER ITEM NUMBERS 532.2400 AND 532.2700 OF THE TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED (TSUSA).
3. ON JANUARY 7, 1993, IN CERAMICA REGIOMONTANA, S.A. ET. AL. V. UNITED STATES, COURT NO. 88-05-00394, THE COURT OF INTERNATIONAL TRADE (CIT) AFFIRMED THE DEPARTMENT'S SECOND RESULTS OF REDETERMINATION ON REMAND. AS A RESULT OF THE COURT'S DECISION, THE TOTAL BOUNTY OR GRANT FOR ALL FIRMS WITHOUT SPECIFIED INDIVIDUAL RATES (THE "ALL OTHERS" RATE) WAS FOUND TO BE 2.63 PERCENT AD VALOREM FOR THE PERIOD OF JULY 1, 1984 THROUGH DECEMBER 31, 1984, AND 3.60 PERCENT AD VALOREM FOR THE PERIOD OF JANUARY 1, 1985 THROUGH DECEMBER 31, 1985. THE PERIOD FOR APPEAL OF THIS DECISION HAS NOW PASSED WITH NO APPEAL HAVING BEEN FILED.
4. IN ACCORDANCE WITH THE COURT'S JANUARY 7, 1993, AFFIRMATION OF THE CASE CERAMICA REGIOMONTANA, S.A., ET. AL. V. UNITED STATES, COURT NO. 88-05-00394, SLIP OP. 93-1, YOU ARE INSTRUCTED TO LIQUIDATE THOSE EXPORTS OF CERAMIC TILE FROM ALL FIRMS WITHOUT SPECIFIED INDIVIDUAL RATES AT THE RATE OF 2.63 PERCENT AD VALOREM FOR MERCHANDISE EXPORTED ON OR AFTER JULY 1, 1984 AND ON OR BEFORE DECEMBER 31, 1984. ALSO, YOU ARE INSTRUCTED TO LIQUIDATE THOSE EXPORTS OF CERAMIC TILE FROM ALL FIRMS WITHOUT SPECIFIED INDIVIDUAL RATES AT THE RATE OF 3.60 PERCENT AD VALOREM FOR MERCHANDISE EXPORTED ON OR AFTER JANUARY 1, 1985 AND ON OR BEFORE DECEMBER 31, 1985.
5. THE PROVISIONS OF SECTION 778 OF TARIFF ACT REQUIRE THAT INTEREST BE PAID ON OVERPAYMENTS OR UNDERPAYMENTS OF AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. SUCH INTEREST IS PAYABLE AT THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD. THE INTEREST SHALL BE CALCULATED AT THAT RATE FROM THE DATE OF PAYMENT OF ESTIMATED DUTIES THROUGH THE DATE OF LIQUIDATION. THE

SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE
EXPORTED ON OR BEFORE DECEMBER 31, 1985 IS LIFTED.

6. IF THERE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS
OFFICERS, PLEASE CONTACT THE IMPORT SPECIALIST DIVISION,
OTHER AGENCY BRANCH BY E-MAIL TO ATTRIBUTE "HQ OAB". THE
IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT
THE OFFICE OF COUNTERVAILING COMPLIANCE, IMPORT
ADMINISTRATION, DEPARTMENT OF COMMERCE (202) 482-2786.
7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party